

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	CRIMINAL NO. H-03-437
	§	H-03-437S
HIRAM ALANIZ-ESCALANTE	§	

MOTION TO DISMISS

COMES NOW the United States of America, by and through its United States Attorney, Kenneth Magidson, and moves this Court to dismiss the charges in Indictment H-03-437 and superseding indictment H-03-437S, filed against Hiram Alaniz-Escalante, under Rule 48(a) of the Rules of Criminal Procedure for the following reasons:

The defendant was indicted by a federal grand jury on November 19, 2003, and subsequently charged in a superseding indictment on September 8, 2004. The defendant, Alaniz-Escalante, was charged with one count of conspiracy to possess with the intent to distribute marijuana and one count of possession with the intent to distribute less than 50 kilograms of marijuana, in violation of 21 USC 841 (b)(1)(D). Alaniz-Escalante has remained a fugitive since the date of the initial indictment. The government has determined that the federal interest in pursuing the defendant is no

longer present.

For the reasons stated, the United States requests that this Motion to Dismiss the charges in indictment H-03-437 and H-03-437S against Defendant, HIRAM ALANIZ-ESCALANTE be GRANTED.

Respectfully submitted,

KENNETH MAGIDSON
United States Attorney

By: /s/ STUART A. BURNS
STUART A. BURNS
Assistant United States Attorney

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ORDER

The government's Motion to dismiss the charges in indictment H-03-437 and H-03-437S against Defendant HIRAM ALANIZ-ESCALANTE is GRANTED.

SIGNED on this ____ day of _____, 2014, at Houston, Texas.

DAVID HITTNER
UNITED STATES DISTRICT JUDGE